

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION of OIL, GAS and MINING  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
(801) 538-5291

\*\*\*\*\*

APPLICATION FOR TRANSFER  
OF  
NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

Application is hereby made to transfer the permit to commence small mining operations for the  
Decorative Development mine, permit # S/ 035 / 0043, currently  
operated by Decorative Developments LLC (transferor)  
to CMC Rock LLC (transferee).

As used herein, TRANSFEROR refers to the current operator; TRANSFEE refers to the  
proposed new operator; NOI refers to the Notice of Intention to Commence Large Mining  
Operations; PERMIT refers to the approved (or accepted) NOI, including the reclamation  
contract and reclamation surety.

Upon approval of the Application for Transfer:

1. The Transferor agrees to transfer all rights and obligations to operate under the terms of the NOI to the Transferee, The Transferor will not retain any rights to conduct mining operations within the area covered by the approved NOI.
2. Both parties understand the transfer of the ***NOI is not complete until all the applicable requirements are met***, including the submittal and Division approval of an appropriate reclamation surety and a reclamation contract.
3. The transferee has read and has a copy of the current NOI.
4. The Transferee has inspected the site and is fully aware of all existing conditions and responsible for compliance with the conditions of the permit and the obligations regardless of the nature of the conditions at the site.
5. Transferee shall conduct mining operations on lands included in the NOI in accordance with the Utah Mined Land Reclamation Act, (ACT) Sections 40-8-1 et seq., Utah Code Annotated, (2005, as amended), and the rules promulgated under the ACT (R647- et seq., and the approved NOI.
6. The Transferee shall provide a surety in a form and amount approved by the Division to assure reclamation of the lands affected by the mining operations.

The **Transferor** will remain liable for compliance at the mine site until this transfer application is approved.

RECEIVED

AUG 23 2010

DIV. OF OIL, GAS & MINING

50350043  
Task ID# 3714  
cc: Leslie

The signatory below represents that he/she has authority to execute this transfer on behalf of the Transferor, if not a natural person. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFEROR:

Decorative Developments

Operator/Transferor Name

By Tracy Burnham

Name of Authorized Officer (Typed or Printed)

Owner

Title of Authorized Officer

[Signature]  
Officer's Signature

8-23-10  
Date

STATE OF Utah

) ss:

COUNTY OF Utah

On the 23 day of Aug, 2010, Tracy Burnham  
personally appeared before me, who being by me duly sworn did say that he/she is  
an Owner (owner, officer, director, partner, agent or other (specify))  
of the Operator Decorative Developments LLC  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

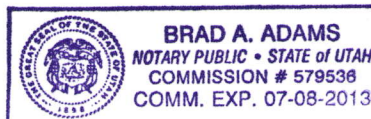
[Signature]

Notary Public

858 S. 500 E. PAYSON, UT 84651  
Residing at

7/8/2013

My Commission Expires:





The signatory below represents that he/she has authority to execute this transfer on behalf of the Operator/Transferee, if not a natural person; and the operator/transferee is a properly organized entity in good standing under the laws of Utah and the United States, is registered as an entity authorized to do business in the State of Utah. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFEE:

CMC Rock LLC

Operator/Transferor Name

By Martin White

Name of Authorized Officer (Typed or Printed)

President

Title of Authorized Officer

[Signature]

Officer's Signature

8-23-2010

Date

STATE OF Utah )

) ss:

COUNTY OF Utah )

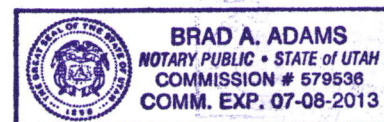
On the 23 day of Aug, 2010, Martin White  
personally appeared before me, who being by me duly sworn did say that he/she is  
an Officer (owner, officer, director, partner, agent or other (specify))  
of the Operator CMC Rock LLC  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

[Signature]

Notary Public

858 S. 500 E. PAYSON, UT 84651  
Residing at

7/8/2013  
My Commission Expires:



**STATE OF UTAH**  
**DEPARTMENT OF NATURAL RESOURCES**  
**DIVISION OF OIL, GAS AND MINING**  
1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291 Fax: (801) 359-3940

**NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS**

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program. (R647-3-et seq.)

*These pages will replace the corresponding pages in the original NOI.*

\*\*\*\*\*

**1. GENERAL INFORMATION**

1. Name of Mine: CMC Point West Deco. 3
2. Legal name of entity (or individual) for whom the permit is being requested: CMC Rode LLC  
Mailing Address: 71 E Wadsworth Park Dr  
City, State, Zip: Draper, UT 84020  
Phone: 801-676-5350 Fax: 801-676-5351  
E-mail Address: mwhite@cmcutah.com

**Type of Business:**

Corporation \_\_\_\_\_, LLC X, Partnership – general \_\_\_\_\_ or limited \_\_\_\_\_,  
Sole Proprietorship (dba) \_\_\_\_\_, or Individual \_\_\_\_\_

**Entity must be registered (and maintain registration) with the State of Utah, Division of Corporations (DOC).**

Are you currently registered to do business in the State of Utah? Yes X No \_\_\_\_\_

Entity # 6547225-0160

If no, contact DOC at [www.commerce.utah.gov](http://www.commerce.utah.gov) to renew or apply.

Local Business License # : 952 (if required)

Issued by: City: Herriman City or County: \_\_\_\_\_

**If Business is a Sole Proprietor:**

Name of owner: \_\_\_\_\_ Title: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**If Business is a Partnership:**

Name of Partner: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**If Business is a Corporation:**

Name of Officers: \_\_\_\_\_ Title: \_\_\_\_\_  
\_\_\_\_\_ Title: \_\_\_\_\_  
\_\_\_\_\_ Title: \_\_\_\_\_  
\_\_\_\_\_ Title: \_\_\_\_\_  
Corporate Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**If Business is a Limited Liability Company:** Member Managed ☒ Manager Managed \_\_\_\_\_

Name of 1<sup>st</sup> Member/Manager: Martin White Title: President  
Business Address: 71 E Wadsworth Park Dr  
City, State, Zip: Draper, UT 84020  
Phone: 801-676-5350 Fax: 801-676-5351  
E-mail Address: mwhite@cmcuath.com

2nd Member/Manager: Todd Cusick Title: CEO  
Business Address: 71 E Wadsworth Park Dr  
City, State, Zip: Draper, UT 84020  
Phone: 801-676-5350 Fax: 801-676-5351  
E-mail Address: tcusick@cmcutah.com

**2. Contacts:**

**This person may be notified for: permitting ☒ surety ☒ Notices ☒**  
**(please check all that apply)**

Name: Martin White Title: President  
Address: 71 E Wadsworth Park Dr  
City, State, Zip: Draper, UT 84020  
Phone: 801-676-5350 Fax: 801-676-5351  
Emergency, Weekend, or Holiday Phone: 801-819-9090  
E-mail Address: mwhite@cmcutah.com

**This person may be notified for: permitting ☒ surety ☒ Notices ☒**  
**(please check all that apply)**

Name: Abe Adams Title: Business Manager  
Address: 71 E Wadsworth Park Dr  
City, State, Zip: Draper, UT 84020  
Phone: 801-676-5350 Fax: 801-676-5351  
Emergency, Weekend, or Holiday Phone: 801-509-1238  
E-mail Address: aadams@cmcutah.com

**Registered Utah Agent** (as identified with the Utah Dept of Commerce) (if individual leave blank):

Name: Corporate Agent Services LLC Title: \_\_\_\_\_  
Address: 60 E South Temple Suite 1800  
City, State, Zip: Salt Lake City, UT 84111  
Phone: 801-328-3600 Fax: 801-321-4893  
E-mail Address: \_\_\_\_\_

### 3. Certification:

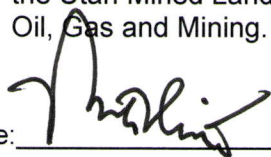
**This certification must be signed by:** (1.) an executive officer if the applicant is a corporation; (2.) a partner if applicant is a partnership (general or limited); (3.) the owner if applicant is a sole proprietorship; (4.) the member or manager if applicant is a limited liability company; or (5) the individual if the applicant is filing as an individual:

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- a. I will follow the approved mining and reclamation plan that was submitted by Decorative Developments LLC (transferor), until such time that I provide the Division with an amended Notice of Intention and receive approval of the amended Notice; AND
- b. I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



8-23-2010

Name (typed or printed): Martin White

Title/Position (if applicable): President